



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/705,478	11/02/2000	Klaus Hofrichter	20381-17 (50P3907)	6825
28960	7590	02/11/2005	EXAMINER	
HAVERSTOCK & OWENS LLP			MAURO JR, THOMAS J	
162 NORTH WOLFE ROAD			ART UNIT	
SUNNYVALE, CA 94086			PAPER NUMBER	

2143

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/705,478

Applicant(s)

HOFRICHTER ET AL.

Examiner

Thomas J. Mauro Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the Request for Continued Examination (RCE) filed on November 22, 2004. Claims 1-52 remain pending and are presented for examination. A formal action on the merits of claims 1-52 follows.

Double Patenting

2. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-52 provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-29 of copending Application No. 09/705472. Although the conflicting claims are not identical, they are not patentably distinct from each other because they both recite analogous methods for managing service applications associated with electronic devices in a home network.

For example, claim 1 of the instant application recites a process for managing support service applications which includes, determining device ID information, providing ID

Art Unit: 2143

information to a server via the Internet, downloading and executing a support application.

Similarly, claim 1 of copending application No. 09/705,472 recites receiving device ID information through a URL over the Internet and downloading the service application for the device. It is obviously required that a device ID must be determined before it can be sent and received by a server in addition to the fact that applications downloaded in order to allow for the service functionality to be extended to the user. Similarly claims 2-29 are analogous to claims 2-52 of the instant application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Response to Arguments

4. Applicant's arguments filed 11/22/2004 have been fully considered but they are not persuasive.

(A) Applicant contends that the combination of Lortz-Lee fail to teach downloading a support service application associated with a selected device from a server and executing the downloaded interactive support service application at a gateway device to provide remote interactive support services, whereas claim 1 and similarly claims 25 and 39 call for this limitation.

In response to argument (A), Examiner asserts that Lortz-Lee does in fact teach downloading a support service application and executing the downloaded support service application. Lee discloses a support service system which allows users to access page, from a server over the Internet, to view service support information for viewing information about a device along with help information for solving problems [Lee -- **Figures 4, 6, 7, 8 and 15, Col. 2 lines 17-45 and Col. 4 lines 43-49**]. In order to view web pages, it is required that the web pages and their accompanying information be downloaded to the users computer, as is typically done to view any webpage over the Internet. In addition, once the HTML pages are downloaded, it is the browser's job [Lee -- **Figure 4 and Col. 4 lines 62-67 – Browser**] to execute the HTML downloaded in order to display the web page containing the support service application [Lee -- **Col. 5 lines 1-22**]. In support of Examiner's position regarding downloading and executing web pages by a browser, the Examiner cites Okamura et al. (U.S. 6,701,524) as evidence. Okamura explicitly states that "browser software executed by the personal computer decodes and executes the HTML code to display each page on the WWW which is downloaded by the user." See Okamura Col. 1 lines 32-36. During patent examination and prosecution, claims must be given their broadest reasonable interpretation. *In re Van Geuns*, 988 F.2d 1181, 1184, 26 USPQ2d 1057, 1059 (Fed. Cir. 1993); *In re Prater*, 415 F.2d 1393, 1404, 162 USPQ 541, 550 (CCPA 1969). Giving the instant claims their broadest reasonable interpretation, "downloading a support service application" and "executing said downloaded support service application" is broad enough to read on the downloading of pages from a server over the Internet and execution of the pages by the browser of Lee.

(B) Applicant contends that the combination of Lortz-Lee fail to teach a service manager operative to form a URL based on the device ID, whereas claim 16 calls for this limitation.

In response to argument (B), Examiner asserts that the combination of Lortz-Lee do in fact teach these limitations. Lortz discloses, **See Col. 6 lines 39-67**, that installation data for a device, i.e. a VCR, can be obtained from a remote location. Lortz further discloses that the device ID can be used to identify the remote location, implying that the ID gives direction or points to the remote location where the installation data can be found. Furthermore, it is taught that an Internet website or other network location contains the information about the device. **See Col. 6 lines 64-66**. It is notoriously well known that to access a remote location, such as a website, a URL is used, which provides an address for a remote location. Thus, the device ID is used to navigate to the website via an address (URL) to access the installation instructions. Therefore in order to access the proper location, the address (URL) is strongly tied to the device ID, thus meeting the claimed limitations.

The Examiner points out that providing an office action to a related case in support of Applicant's arguments adds no weight to the argument as it pertains entirely to a completely

different case. Therefore, arguments and remarks made within the other case, i.e. 09/705,472, has no bearing on the interpretations and merits of this case which is the case being examined.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-4, 7, 9-10 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) in view of Lee (U.S. 6,452,897).

Regarding claim 1, Lortz teaches a process of identifying and managing support service applications associated with consumer electronic devices, the process for execution by a gateway device communicatively coupled with each of the electronic devices via a home network, the gateway device being operative to access the Internet and being communicatively coupled with a display unit [**Lortz -- Figures 1 and 2 and Abstract**], comprising the steps of:

determining device ID information associated with a selected one of the electronic devices for which a support service application is required [**Lortz -- Col. 6 lines 59-60 – Each device connected to the network contains a device ID, uniquely identifying itself from the other devices**]; and

providing said device ID information to a selected server computing system via the Internet [Lortz -- Col. 6 lines 57-61 – Configuring device, i.e. gateway computer, accesses Internet to obtain device information which inherently requires that the device ID be used as identification of the device to the server being accessed to obtain the proper information].

In addition, Lortz teaches that the gateway device, i.e. PC, controls and configures other devices on the home network, i.e. a VCR [Lortz -- Col. 2 lines 65-66 and Col. 3 lines 63-67 – PC, which has access to Internet, i.e. gateway device, is responsible for configuring devices on the home network].

Lortz, however, fails to teach downloading and executing an interactive service support application from the server.

Lee, however, teaches a customer support system which downloads and executes an interactive service application from an Internet server for a specific device [Lee -- Col. 2 lines 18-20 and lines 56-58 – Interactive service support application is downloaded and implicitly executed to provide services for the device. Application allows users to select, i.e. interact, with various buttons to access FAQ's, detailed model information, downloads, etc.].

Both Lortz and Lee are directed towards providing on-line support services for networked devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the downloading and execution of support service applications, as taught by Lee into the invention of Lortz, in order to reduce the number of after service requests, increase quality of service to customer and to provide the most up to date support information.

Regarding claim 2, Lortz-Lee teach the invention substantially as claimed wherein said interactive support service process comprises a remote interactive manual providing educational instructions to a home network system user regarding operation of said selected device [**Lortz -- Col. 4 lines 58-64 – Installation, configuration, and customized help data is provided to the user to educate them on the operation, installation and configuration of the device**].

Regarding claim 3, Lortz-Lee teach the invention substantially as claimed, wherein said interactive support service process comprises a remote interactive maintenance process for instructing a home network system user in solving maintenance problems associated with said selected device [**Lee -- Col. 6 lines 8-43 – Frequently Asked Questions (FAQ) page provides users with instructions to solve common maintenance problems associated with their device**].

Regarding claim 4, Lortz-Lee teach the invention substantially as claimed, including, communicating with said selected device to determine a current functional state and displaying the information indicative of the current functional state of the device to the user [**Lortz -- Col. 4 lines 50-51 and Col. 5 lines 58-62 – Current functional state, i.e. operative status, is communicated between the device and displayed on the configuration PC, i.e. gateway device**].

Regarding claim 7, Lortz-Lee teach the invention substantially as claimed, including determining user instructional information based on said current functional state of said selected device, said instructional information for providing instructions to the user for operating said selected device [**Lee -- Col. 6 lines 8-43 – FAQ page provides instructional information to the user based on the search entered, i.e. question regarding the functional state of the system, which assists users in operating device**]; and

displaying said user instructional information on the display unit [**Lee -- Col. 6 lines 38-43 – Content of FAQ, comprising help on operating part of a particular device is displayed**].

Regarding claim 9, Lortz-Lee teach the invention substantially as claimed, including, forming a uniform resource locator (URL) based on said device ID information [**Lortz -- Col. 6 lines 59-60 – Device ID helps identify the remote location**] and accessing said server via the Internet using the URL [**Lortz -- Col. 6 lines 62-67 – Col. 7 lines 1-5 – Link, i.e. URL, containing some aspect of the device ID, is used to access and retrieve information from server over the Internet**].

Regarding claim 10, Lortz-Lee teach the invention substantially as claimed, wherein said device ID information includes vendor information [**Lortz -- Col. 6 line 59 – Device name, i.e. vendor name**] but fails to teach wherein device ID information includes model information Lee, however, further teaches that the model number is used as a device identification to download the correct service support application for the device [**Lee -- Figure 6 and Col. 3 lines**

Art Unit: 2143

9-17].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of a model number for device identification, as taught by Lee into the invention of Lortz, in order to further provide proper device identification so that the proper application and information is provided to the user.

Regarding claim 13, Lortz-Lee teach the invention substantially as claimed, including, generating and displaying a help menu enabling a user of the gateway device to select from a list of help topics associated with operation of the selected device **[Lee -- Figure 14 and Col. 6 lines 17-21 – FAQ, i.e. help, menu displays list of help topics to user];**

receiving user input indicative of a selected help topic;

providing information indicative of said selected help topic to the server computing system **[Lee -- Figure 14 and Col. 6 lines 22-43 – User can either navigate through the menu and select topics which pertain to the problem or question of the device, or a search can be provided to the server to find a particular FAQ that matches the request];** and

downloading a document from the server computing system, said documents providing information associated with said selected device under said selected help topic **[Lee -- Figure 15 and Col. 6 lines 38-43 – User selects content and page is downloaded and displayed on users computer].**

Regarding claim 14, Lortz-Lee teach the invention substantially as claimed, including, providing information indicative of said current functional state to the server computing

Art Unit: 2143

system for the purpose of accessing a selected document based on said current functional state

[Lee -- Figure 14 and Col. 6 lines 36-38 -- FAQ searching allows the user to enter information regarding the current functional state in a search to provide documents matching problems with the same functional state]; and

downloading a document from the server computing system, said document providing instructional information about the selected device taking into account said current functional state **[Lee -- Figure 15 and Col. 6 lines 38-43 -- User selects content and page is downloaded and displayed on users computer].**

7. Claims 5, 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) and Lee (U.S. 6,542,897), as applied to claim 4 and 5 above respectively, in view of Kim et al. (U.S. 6,473,788).

Regarding claim 5, Lortz-Lee teach the invention substantially as claimed, as aforementioned in claim 4 above, but fail to teach determining diagnostic information based on said current functional state of said device indicating a problem associated with said device and further displaying said diagnostic information on the display unit.

Kim, however, teaches a system for displaying status information of a device in which the diagnostic information is retrieved from the device and displayed indicating a problem or error **[Kim -- Figures 16 & 17 and Col. 10 lines 31-45 -- Diagnostic information, including error**

message, is displayed along with maintenance and diagnostic functions available to further diagnose or solve the problem].

Lortz, Lee, and Kim disclose methods and systems which are directed towards solving the same problem, namely, to remotely diagnose and maintain devices on a network.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the determining of diagnostic information indicating a problem based on the current functional state, as taught by Kim into the invention of Lortz-Lee, in order to provide advanced information regarding problems that may exist on the system based on the current state.

Regarding claim 8, Lortz-Lee-Kim teach the invention substantially as claimed, as aforementioned in claim 5 above, including determining user instructional information based on said diagnostic information, said instructional information for providing instructions to the user for solving said problem associated with said selected device [**Lee -- Col. 6 lines 8-43 -- FAQ page provides instructional information to the user based on the search entered comprising the functional state of the system, which assists users in solving problems, i.e. disorders];** and

displaying said user instructional information on the display unit [**Lee -- Col. 6 lines 38-43 -- Content of FAQ, comprising help on solving a problem, is displayed].**

Regarding claim 15, Lortz-Lee-Kim teach the invention substantially as claimed, as aforementioned in claim 5 above, including, providing said diagnostic information to the server

Art Unit: 2143

computing system for the purpose of accessing a selected document based on said problem associated with said selected device [**Lee -- Figure 14 and Col. 6 lines 36-38 -- FAQ searching allows the user to enter diagnostic information regarding the problem with the device in a search to provide documents with answers to the same diagnostic problem**]; and downloading a document from the server computing system, said document providing instructional information for solving said problem associated with said selected device [**Lee -- Figure 15 and Col. 6 lines 38-43 -- User selects particular FAQ document and page is downloaded and displayed on users computer**].

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243), Lee (U.S. 6,542,897) and Kim et al. (U.S. 6,473,788), as applied to claim 5 above, in view of Wookey (U.S. 6,023,507).

Regarding claim 6, Lortz-Lee-Kim teach the invention substantially as claimed, as aforementioned in claim 5 above, but fail to teach transmitting the diagnostic information to a server to create a database record based on the diagnostic information and a device ID. Wookey, however, teaches communicating multiple system diagnostic information to a server computer to incorporate in a database to provide a history of the diagnostic information of the computers [**Wookey -- Figure 3 and Col. 3 lines 41-45 -- Diagnostic data is gathered from computers, transmitted to server and stored in a database, which uses some form of**

Art Unit: 2143

identification of the computer with which the diagnostic information was received to store the information and properly correlate it with the computer which sent it].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the transmitting of diagnostic information to a server for storage in a database, as taught by Wookey into the invention of Lortz-Lee-Kim, in order to provide historical diagnostic data which can be used to analyze trends or system performance.

9. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) and Lee (U.S. 6,452,897), as applied to claim 10 above, in view of Hemphill et al. (U.S. 6,167,448).

Regarding claim 11, Lortz-Lee teach the invention substantially as claimed, as aforementioned in claim 10 above, but fail to teach that the URL is formed by determining the host name based on the vendor and the file path based on the model information.

Hemphill, however, teaches a management event notification system which includes a URL for accessing a file with more information, the URL composed of a host name and a file path, with the host name being based on the vendor and the file path being based on a specific number, i.e. model number [Hemphill -- Col. 1 lines 66-67 – Col. 2 lines 1-4 and Col. 13 lines 31-38 – The URL is formed from the host, i.e. “ACME” which is the vendor name, and a file path, i.e. “disksubsyz:2301” which identifies a particular file based upon a specific number, i.e.

Art Unit: 2143

model number].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the forming of a URL with a host name, i.e. vendor and file path, i.e. model number, as taught by Hemphill into the invention of Lortz-Lee, in order to provide a common URL structure which allows for direct and easy access to a specific file located on a server using meaningful descriptors.

Regarding claim 12, Lortz-Lee-Hemphill teach the invention substantially as claimed, as aforementioned in claim 10 above, wherein the step of forming the URL comprises the steps of:

determining a host name based on said vendor information [**Hemphill -- Col. 13 lines 31-38 – Host name consists of vendor name, i.e. manufacturers name – “acme”**]; and
forming the URL based at least in part on said HOST name [**Hemphill -- Col. 13 lines 31-32 – URL is formed, at least in part, from the host name, “acme”**].

10. Claims 16-17, 19-21 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) in view of Lee (U.S. 6,452,897).

Regarding claim 16, Lortz teaches a service management software system for execution by a gateway device communicatively coupled with at least one electronic device via a home

Art Unit: 2143

network, the software system for identifying and managing interactive support service applications associated with each of the electronic devices, the gateway device being operative to access the Internet [**Lortz -- Figures 1 and 2, Abstract and Col. 5 lines 63-67 – Col. 6 lines 1-8], comprising:**

a home network bridge supported by a platform for receiving device ID information associated with a selected one of the electronic devices for which a service application is required [**Lortz -- Figures 1 and 2, Col. 2 lines 22-52 and Col. 3 lines 1-8 – Home network composed of network devices, upon which new network devices transmit a broadcast signal to identify themselves to the configuring device, i.e. computer. In order to identify themselves, a device ID, which the devices possess (Col. 6 line 59) is required to be broadcast to the configuration pc for proper identification];**

a service manager supported by the platform and being operative to form a uniform resource locator (URL) based at least in part on said device ID information [**Lortz -- Col. 6 lines 59-67 – Col. 7 lines 1-5 – Device ID helps identify the remote location which is comprised of a link, i.e. URL, which is used to access and retrieve information from server over the Internet]; and**

an internet bridge supported by the platform and being responsive to receive said URL from said service manager via the platform, and being operative to access a selected server computing system via the Internet using said URL [**Lortz -- Col. 6 lines 57-61 – Configuring device, i.e. gateway computer, accesses Internet to obtain device information which inherently requires that the device ID be used as identification of the device to the server being accessed to obtain the proper information].**

Art Unit: 2143

Lortz, however, fails to teach downloading an interactive support application associated with said device and dynamically loading and unloading support service application, i.e. executing the application.

Lee, however, teaches a customer support system which downloads and executes a service application from an Internet server for a specific device [Lee -- Col. 2 lines 18-20 and lines 56-58 – **Interactive service support application is downloaded and implicitly executed to provide services for the device. Application allows users to select, i.e. interact, with various buttons to access FAQ's, detailed model information, downloads, etc.**].

Both Lortz and Lee are directed towards providing on-line support services for networked devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the downloading and execution of support service applications, as taught by Lee into the invention of Lortz, in order to reduce the number of after service requests, increase quality of service to customer and to provide the most up to date support information.

Regarding claims 17, 19-21 and 24, these are system claims corresponding to the process claimed in claims 10 and 2-4 and 7. They have similar limitations; therefore claims 17, 19-21 and 24 are rejected under the same rationale.

Art Unit: 2143

11. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) and Lee (U.S. 6,452,897), as applied to claim 17 above, in view of Hemphill et al. (U.S. 6,167,448).

Regarding claim 18, this is a system claim corresponding to the process claimed in claim

11. It has similar limitations; therefore claim 18 is rejected under the same rationale.

12. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) and Lee (U.S. 6,542,897), as applied to claim 20 above, in view of Kim et al. (U.S. 6,473,788).

Regarding claim 22, this is a system claim corresponding to the process claimed in claim

5. It has similar limitations; therefore, claim 22 is rejected under the same rationale.

13. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243), Lee (U.S. 6,542,897) and Kim et al. (U.S. 6,473,788), as applied to claim 22 above, in view of Wookey (U.S. 6,023,507).

Regarding claim 23, this is a system claim corresponding to the process claimed in claim

6. It has similar limitations; therefore, claim 23 is rejected under the same rationale.

14. Claims 25-27 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) in view of Lee (U.S. 6,452,897).

Regarding claim 25, Lortz teaches a process of identifying and providing interactive support service applications associated with consumer electronic devices, the process for execution by a server computing system that is communicatively coupled with at least one client computing system via the Internet [**Lortz -- Figures 1 and 2 and Abstract**], comprising the steps of:

receiving device ID information from a client computing system, the device ID information indicating a particular consumer electronic device [**Lortz -- Figures 1 and 2, Col. 2 lines 22-52 and Col. 3 lines 1-8 – Home network composed of network devices, upon which new network devices transmit a broadcast signal to identify themselves to the configuring device, i.e. computer. In order to identify themselves, a device ID, which the devices possess (Col. 6 line 59) is required to be broadcast to the configuration pc**]; and

accessing a selected interactive support service application associated with the particular device based on said device ID information [**Lortz -- Col. 5 lines 63-68 – Col. 5 lines 1-8, Col. 6 lines 59-67 – Col. 7 lines 1-5 – Device ID helps identify the remote location which is**

Art Unit: 2143

comprised of a link, i.e. URL, which is used to access and retrieve information from a server over the Internet. Application associated with particular device is interactive for the user].

Lortz, however, fails to teach providing, i.e. downloading, an interactive support application associated with said device which includes instructions executable to execute the support application.

Lee, however, teaches a customer support system which downloads and executes a service application from an Internet server for a specific device [Lee -- Col. 2 lines 18-20 and lines 56-58 – **Service support application is downloaded and implicitly executed to provide services for the device. Application allows users to select, i.e. interact, with various buttons to access FAQ's, detailed model information, downloads, etc.].**

Both Lortz and Lee are directed towards providing on-line support services for networked devices.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the downloading and execution of support service applications, as taught by Lee into the invention of Lortz, in order to reduce the number of after service requests, increase quality of service to customer and to provide the most up to date support information.

Regarding claim 26 this is a process claim corresponding to the process claimed in claim 10. It has similar limitations; therefore, claim 26 is rejected under the same rationale.

Regarding claim 27, Lortz-Lee teach the invention substantially as claimed, as aforementioned in claim 26 above, however fails to explicitly teach wherein the device ID is a serial number. Lortz-Lee, however, teach that each device contains a device ID which inherently is unique to each device [**Lortz -- Col. 6 lines 59-60**]. Examiner takes Official Notice (see MPEP § 2144.03) that using a serial number to uniquely identify a device in a computer-networking environment was well known in the art at the time the invention was made. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to use a serial number as a device ID in order to easily and uniquely distinguish one device on the network from another using a provided characteristic of the device. The Applicant is entitled to traverse any/all official notice taken in this action according to MPEP § 2144.03, namely, "if applicant traverses such an assertion, the examiner should cite a reference in support of his or her position". However, MPEP § 2144.03 further states "See also *In re Boon*, 439 F.2d 724, 169 USPQ 231 (CCPA 1971) (a challenge to the taking of judicial notice must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying the judicial notice)." Specifically, *In re Boon*, 169 USPQ 231, 234 states "as we held in *Ahlert*, an applicant must be given the opportunity to challenge either the correctness of the fact asserted or the notoriety or repute of the reference cited in support of the assertion. We did not mean to imply by this statement that a bald challenge, with nothing more, would be all that was needed". Further note that 37 CFR § 1.671(c)(3) states "Judicial notice means official notice". Thus, a traversal by the Applicant that is merely "a bald challenge, with nothing more" will be given very little weight.

Regarding claim 29, Lortz-Lee teach the invention substantially as claimed, as
aforementioned in claim 25 above, including,

receiving information indicative of a selected help topic from the client computing
system [Lee -- **Figure 14 and Col. 6 lines 22-43 – User can either navigate through the menu
and select topics which pertain to the problem or question of the device, or a search can be
provided to the server to find a particular FAQ that matches the request**];

Accessing a selected document based on said selected help topic [Lee -- **Col. 6 lines 25-
28 – User clicks on topic to access help information**]; and

Providing said selected document to the client computing system, said selected document
providing educational information regarding operation of the particular device [Lee -- **Figure 15
and Col. 6 lines 38-43 – User selects content and page is downloaded and displayed, i.e.
provided to user, on their computer, providing them with information on operation of their
device or a number of other topics**].

Regarding claim 30, this is a process claim corresponding to the process claimed in
claims 2 and 4. It has similar limitations; therefore, claim 30 is rejected under the same
combined rationale.

Regarding claims 31 and 32, these are process claims corresponding to the process
claimed in claims 2 and 3. They have similar limitations; therefore, claims 31 and 32 are
rejected under the same rationale.

15. Claims 28 and 33-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243) and Lee (U.S. 6,542,897), as applied to claims 25, 28, 33 and 35 above respectively, in view of Wookey (U.S. 6,023,507) and further in view of Kim et al. (U.S. 6,473,788).

Regarding claim 28, Lortz-Lee teach the invention substantially as claimed, as aforementioned in claim 25 above, including a client computer system communicatively coupled with a particular device, and wherein said selected interactive support service application executes to diagnose problems [Lee -- Col. 2 lines 18-20 and lines 56-58 – Service application, which is executed, provides support services for the device. Application allows users to select, i.e. interact, with various buttons to access FAQ's, detailed model information, downloads, etc.].

Lortz-Lee, however fail to teach receiving diagnosis information from the computing system indicating a diagnosed problem associated with the particular device and creating a database record based on said diagnosis information and said device ID information.

Kim, however, teaches a system for displaying status information of a device in which the diagnostic information is retrieved from the device and displayed indicating a problem or error [Kim -- Figures 16 & 17 and Col. 10 lines 31-45 – Diagnostic information, including error, is displayed along with maintenance and diagnostic functions available to further diagnose or solve the problem].

Furthermore, Wookey teaches communicating multiple system diagnostic information to a server computer to incorporate in a database to provide a history of the diagnostic information of the computers [Wookey -- **Figure 3 and Col. 3 lines 41-45 – Diagnostic data is gathered from computers, transmitted to server and stored in a database, which uses some form of identification of the computer with which the diagnostic information was received when storing the information**].

Lortz, Lee, Kim and Wookey disclose methods and systems which are directed towards solving the same problem, namely, to remotely diagnose and maintain devices on a network.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the determining of diagnostic information indicating a problem based on the current functional state, as taught by Kim along with creating a database to record diagnosis information associated with a device ID, as taught by Wookey into the invention of Lortz-Lee, in order to provide advanced information remotely regarding problems that may exist on the system based on the current state and a record of historical diagnostic information data which can be used to analyze trends or system performance over time.

Regarding claim 33, this is a process claim corresponding to the process claimed in claim 4. It has similar limitations; therefore, claim 33 is rejected under the same rationale.

Regarding claim 34, Lortz-Lee-Kim-Wookey teach the invention substantially as claimed, as aforementioned in claim 33 above, including, receiving information indicative of a current functional state of a device [Lortz -- **Col. 4 lines 50-51 and Col. 5 lines 58-62 –**

Art Unit: 2143

Current functional state, i.e. operative status, is communicated between the device and displayed on the configuration PC, i.e. gateway device];

accessing a selected document based on the current functional state [Lee -- **Figure 14 and Col. 6 lines 36-38 – FAQ searching allows the user to enter information regarding the current functional state in a search to provide documents matching problems with the same functional state in order to access a pertinent document]; and**

providing said selected document to the gateway device, said selected document providing educational information regarding operation of the particular device taking into account its current functional state [Lee -- **Figure 15 and Col. 6 lines 38-43 – User selects content and page is downloaded and displayed, i.e. provided to user on configuring, i.e. gateway, computer].**

Regarding claim 35, this is a process claim corresponding to the process claimed in claim 5. It has similar limitations; therefore claim 35 is rejected under the same rationale.

Regarding claim 36, Lortz-Lee-Kim-Wookey teach the invention substantially as claimed, as aforementioned in claim 33 above, including,

receiving diagnostic information from the client computing system, the diagnostic information indicating a problem associated with the particular device [Kim -- **Figures 16 & 17 and Col. 10 lines 31-45 – Diagnostic information, including error, is displayed along with maintenance and diagnostic functions available to further diagnose or solve the problem];**

accessing a selected document based on the diagnostic information [Lee -- **Figure 14 and Col. 6 lines 36-38 – FAQ searching allows the user to enter diagnostic information regarding the problem with the device in a search to provide documents matching problems with the same diagnostic problem**]; and

providing said selected document to the client computing system, said selected document providing instructions for solving the problem associated with the particular device [Lee -- **Figure 15 and Col. 6 lines 38-43 – User selects particular FAQ document and page is downloaded and displayed on users computer**].

Regarding claims 37 and 38, these are process claims corresponding to the process claimed in claims 7 and 8. They have similar limitations; therefore, claims 37 and 38 are rejected under the same rationale.

16. Claims 39-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lortz (U.S. 6,505,243), Lee (U.S. 6,542,897), Kim et al. (U.S. 6,473,788) and Wookey (U.S. 6,023,507).

Regarding claim 39, Lortz teaches a process of identifying and providing interactive support service applications associated with consumer electronic devices, the process for execution by a server computing system that is communicatively coupled with at least one client

Art Unit: 2143

computing system via the Internet, the client computing system being communicatively coupled with at least one electronic device [**Lortz -- Figures 1 and 2 and Abstract**], the process comprising the step of:

Receiving device ID information from the client computing system, the device ID information indicating a particular consumer electronic device that is communicatively coupled with the client computing system [**Lortz -- Figures 1 and 2, Col. 2 lines 22-52 and Col. 3 lines 1-8 -- Home network composed of network devices, upon which new network devices transmit a broadcast signal to identify themselves to the configuring device, i.e. computer. In order to identify themselves, a device ID, which the devices possess (Col. 6 line 59) is required to be broadcast to the configuration pc**].

Lortz however fails to teach providing, i.e. downloading, an interactive support application associated with said device which includes instructions executable to execute the support application, receiving diagnosis information from the computing system indicating a diagnosed problem associated with the particular device and creating a database record based on said diagnosis information and said device ID information.

Lee, however, teaches a customer support system which downloads and executes a service application from an Internet server for a specific device [**Lee -- Col. 2 lines 18-20 and lines 56-58 -- Service application is downloaded and implicitly executed to provide services for the device. Application allows users to select, i.e. interact, with various buttons to access FAQ's, detailed model information, downloads, etc.**].

In addition, Kim teaches a system for displaying status information of a device in which the diagnostic information is retrieved from the device and displayed indicating a problem or error

Art Unit: 2143

[Kim -- Figures 16 & 17 and Col. 10 lines 31-45 – Diagnostic information, including error, is displayed along with maintenance and diagnostic functions available to further diagnose or solve the problem].

Furthermore, Wookey teaches communicating multiple system diagnostic information to a server computer to incorporate in a database to provide a history of the diagnostic information of the computers **[Wookey -- Figure 3 and Col. 3 lines 41-45 – Diagnostic data is gathered from computers, transmitted to server and stored in a database, which uses some form of identification of the computer with which the diagnostic information was received when storing the information].**

Lortz, Lee, Kim and Wookey disclose methods and systems which are directed towards solving the same problem, namely, to remotely diagnose and maintain devices on a network.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the downloading and execution of a support services application, as taught by Lee, the determining of diagnostic information indicating a problem based on the current functional state, as taught by Kim along with creating a database to record diagnosis information associated with a device ID, as taught by Wookey into the invention of Lortz, in order to reduce the number of after service requests, increase quality of service to customers and to provide the most up to date support information. In addition, this will provide remote advanced information regarding problems that may exist on the system based on the current state and a record of historical diagnostic information data which can be used to analyze trends or system performance over time.

Regarding claims 40, 41, 43-46 and 47-48, these are process claims corresponding to the process claimed in claims 29, 13, 2-5 and 7-8 respectively. They have similar limitations; therefore, claims 40-41, 43-46 and 47-48 are rejected under the same rationale.

Regarding claim 42, Lortz-Lee-Kim-Wookey teach the invention substantially as claimed, including, receiving a query including device ID information indicating the particular device from said client computing system [**Lortz -- Col. 6 lines 59-67 – Col. 7 lines 1-5 – Device ID helps identify the remote location which is comprised of a link, i.e. URL, which is used to query the server over the Internet**]; and

determining said diagnostic service application associated with the particular device based on said device ID information [**Lortz -- Col. 6 lines 59-66 – Remote link, i.e. URL, contains exact location of information associated with the particular device**].

Regarding claim 49, Lortz-Lee-Kim-Wookey teach the invention substantially as claimed, including,

receiving device ID information from the client computing system, the device ID information including vendor information indicative of the vendor of the particular device [**Lortz -- Col. 6 line 59 – Device name, i.e. vendor name**], and model information indicative of the model of the particular device [**Lee -- Figure 6 and Col. 3 lines 9-17**]; and

determining the interactive support service application associated with the particular device based on the device ID information [**Lortz -- Col. 5 lines 63-68 – Col. 6 lines 1-8 and Col. 6 lines 59-66 – Remote link, i.e. URL, contains exact location of information associated**

with the particular device. Application is interactive as it allows users to interact with program as completing tasks and going to next steps].

Regarding claims 50, 51 and 52, these are process claims corresponding to the process claimed in claims 27, 34 and 36. They have similar limitations; therefore, claims 50, 51 and 52 are rejected under the same rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mauro Jr. whose telephone number is 571-272-3917. The examiner can normally be reached on M-F 8:00a.m. - 4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2143

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TJM

January 28, 2005

William C. Vaughn
Primary Examiner
Art Unit 2143
William C. Vaughn Jr.